IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.3079 OF 2003

IN

SUMMARY SUIT NO.3253 OF 2003

Mohd.Iqbal Waaras & ors .. Plaintiff

versus

Gulamraza Mohamedali Babul & ors .. Defendant

...

Mr.Shailesh Shah, Mr.Manoj Dalvi i/b Banatwala & Co for Plaintiff.

CORAM : D.G. KARNIK, J

DATED : 14th January 2005.

P.C:-

1. Heard learned counsel for the plaintiff. None present for the defendants. The defendants have not filed any affidavit in reply though served. The defendants had taken out another Motion No. 3786 of 2003 for setting aside the ex parte decree dated 7th November, 2003 passed by this court but that motion has been dismissed. In the absence of any affidavit

in reply the averments made in the affidavit in support may be deemed to be accepted as correct. In view of this, ad interim order dated 7th November, 2003 passed by this court is made absolute. No other relief is pressed. Motion is disposed of.

D.G.KARNIK, J